

APR 15 2011

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
ROANOKE DIVISION

JULIA C. DUDLEY, CLERK  
BY:   
DEPUTY CLERK

UNITED STATES OF AMERICA ) Criminal Action No. 7:00-cr-00022  
                                )  
v.                            ) § 2255 ORDER  
                                )  
REGINALD MIMMS,          ) By: Hon. James C. Turk  
Petitioner.               ) Senior United States District Judge

In accordance with the written memorandum opinion entered this day, it is hereby

**ORDERED**

that the Clerk **SHALL** docket petitioner's motion to vacate (no. 36), the conditional filing order (no. 37), petitioner's response (no. 39), and this order with the accompanying memorandum opinion in petitioner's other criminal action, 7:99-cr-00048-1; petitioner's motion to vacate, set aside, or correct sentence is **DISMISSED** as untimely filed; a Certificate of Appealability is **DENIED**; and the action is **STRICKEN** from the active docket of the court.

The Clerk is directed to send copies of this order and the accompanying memorandum opinion to the petitioner and counsel of record for the United States.

ENTER: This 14<sup>th</sup> day of April, 2011.

  
\_\_\_\_\_  
Hon. James C. Turk  
Senior United States District Judge